

# Exhibit K

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9 Attorneys for Plaintiffs

10 [Additional counsel listed on signature page]

11  
12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 OAKLAND DIVISION

15 BIKASH MOHAN MOHANTY, On Behalf of ) Case No. 3:07-CV-05101-SBA  
16 Himself and All Others Similarly Situated, )  
17 Plaintiff, ) DECLARATION OF REED R.  
18 vs. ) KATHREIN IN SUPPORT OF THE  
19 BIGBAND NETWORKS, INC., AMIR ) MOTION TO CONSOLIDATE, TO  
20 BASSAN-ESKENAZI, RAN OZ, FREDERICK ) APPOINT GWYN JONES LEAD  
21 BALL, GAL ISRAELY, DEAN GILBERT, ) PLAINTIFF AND TO APPROVE  
22 KEN GOLDMAN, LLOYD CARNEY, BRUCE ) PROPOSED LEAD PLAINTIFF'S  
23 SACHS, ROBERT SACHS, GEOFFREY ) SELECTION OF COUNSEL  
24 YANG, MORGAN STANLEY & CO., INC., )  
25 MERRILL LYNCH, PIERCE, FENNER & )  
SMITH, INC., JEFFERIES & CO., INC., )  
COWEN AND CO., INC., AND )  
THINKEQUITY PARTNERS LLC )  
Defendants. )  
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1 DENNIS KOESTERER, On Behalf of Himself ) Case No. 3:07-CV-05168-MMC  
2 and All Others Similarly Situated, )  
3 Plaintiff, )  
4 v. )  
5 BIGBAND NETWORKS, INC., AMIR )  
6 BASSAN-ESKENAZI, FREDERICK A. BALL, )  
7 RAN OZ, LLOYD CARNEY, DEAN )  
8 GILBERT, KEN GOLDMAN, GAL ISRAELY, )  
9 BRUCH SACHS, ROBERT SACHS, and )  
10 GEOFFREY YANG )  
11 Defendants. )

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12 ABRENA WINSTON, Individually and On ) Case No. 3:07-CV-05327-JSW  
13 Behalf of All Others Similarly Situated, )  
14 Plaintiff, )  
15 v. )  
16 BIGBAND NETWORKS, INC., AMIR )  
17 BASSAN-ESKENAZI, RAN OZ, FREDERICK )  
18 BALL, GAL ISRAELY, DEAN GILBERT, )  
19 KEN GOLDMAN, LLOYD CARNEY, )  
20 BRUCE SACHS, ROBERT SACHS, )  
21 GEOFFREY YANG, MERRILL LYNCH, )  
22 PIERCE, FENNER & SMITH, INC., )  
23 MORGAN STANLEY & CO., INC., COWEN )  
24 AND CO., JEFFERIES & CO., and )  
25 THINKEQUITY PARTNERS LLC )  
26 Defendants. )

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27 DONALD SMITH, On Behalf of Himself and ) Case No. 3:07-CV-05361-SI  
28 All Others Similarly Situated, )  
29 Plaintiff, )  
30 v. )  
31 BIGBAND NETWORKS, INC., AMIR )  
32 BASSAN-ESKENAZI, and FREDERICK A. )  
33 BALL )  
34 Defendants. )

1 WAYNE LUZON, On Behalf of Himself and All ) Case No. 3:07-CV-05637-WHA  
2 Others Similarly Situated, )  
3 Plaintiff, )  
4 v. )  
5 )

6 BIGBAND NETWORKS, INC., AMIR BASSAN- )  
7 ESKENAZI, RAN OZ, FREDERICK BALL, GAL )  
8 ISRAELY, DEAN GILBERT, KEN GOLDMAN, )  
9 LLOYD CARNEY, BRUCE SACHS, ROBERT )  
10 SACHS, GEOFFREY YANG, MORGAN )  
11 STANLEY & CO., INC., MERRILL LYNCH, )  
12 PIERCE, FENNER & SMITH, INC., JEFFERIES )  
13 & CO., INC., COWEN AND CO., INC., and )  
14 THINKEQUITY PARTNERS LLC )  
15 )  
16 Defendants. )  
17 )

18 DEBRA L. BERNSTEIN, Individually and On ) Case No. 3:07-CV-05825-MHP  
19 Behalf of All Others Similarly Situated, )  
20 )  
21 Plaintiff, )  
22 )  
23 v. )  
24 )  
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28 )

1 BIGBAND NETWORKS, INC., AMIR )  
2 BASSAN-ESKENAZI, RAN OZ, FREDERICK )  
3 A. BALL, GAL ISRAELY, DEAN GILBERT, )  
4 KENNETH A. GOLDMAN, LLOYD CARNEY, )  
5 BRUCE I. SACHS, ROBERT J. SACHS, )  
6 GEOFFREY Y. YANG, MORGAN STANLEY )  
7 & CO., INCORPORATED, JEFFERIES & )  
8 COMPANY, INC., MERRILL LYNCH, PIERCE )  
9 FENNER & SMITH INCORPORATED, )  
10 COWEN AND COMPANY, LLC and )  
11 THINKEQUITY PARTNERS LLC, )  
12 )  
13 Defendants. )  
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EUGENE HAMMER, On Behalf of Himself and )  
All Others Similarly Situated, )  
Plaintiff, )  
v. )  
BIGBAND NETWORKS, INC., AMIR )  
BASSAN-ESKENAZI, FREDERICK A. BALL, )  
RAN OZ, LLOYD CARNEY, DEAN GILBERT, )  
KEN GOLDMAN, GAL ISRAELY, BRUCE )  
SACHS, ROBERT SACHS, and GEOFFREY )  
YANG )  
Defendants. )

1 I, REED R. KATHREIN declare as follows:

2 1. I am a member in good standing of the state bar of California. I am an attorney at  
3 Hagens Berman Sobol Shapiro LLP, proposed lead counsel for Gwyn Jones. I submit this  
4 declaration in support of the motion to Consolidate, to Appoint Gwyn Jones Lead Plaintiff and to  
5 Approve Proposed Lead Plaintiff's Selection of Counsel.

6 2. Attached as exhibits are true and correct copies of the following:

7 Exhibit A: Certification of Gwyn Jones along with detailed listings of transactions.

8 Exhibit B: Chart of Gwyn Jones' purchases and losses.

9 Exhibit C: Published Notice of the first securities class action complaint filed in this  
10 matter in the United States District Court for the Northern District of  
California.

11 Exhibit D: Firm Resumes for Proposed Co-Lead Counsel, Kahn Gauthier Swick, LLC  
12 and Hagens Berman Sobol Shapiro LLP

13 I declare, under penalty of perjury of the laws of the United States, that the foregoing is  
14 true and correct to the best of my knowledge.

15 Executed this 3rd day of December 2007.

16 \_\_\_\_\_ /s/ Reed Kathrein

17 REED R. KATHREIN

## **DECLARATION OF SERVICE**

I hereby certify that on December 3, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses registered, as denoted on the attached **Electronic Mail Notice List**, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached **Manual Notice List**.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 3rd day of December 2007, at Berkeley, California.

/s/ Reed R. Kathrein

REED R. KATHREIN

DECL. OF REED R. KATHREIN ISO MOT. TO CONSOLIDATE,  
TO APPOINT GWYN JONES LEAD PL. AND TO APPROVE  
PROP. LEAD PL.'S SELECTION OF COUNSEL - 2  
Case No. 07-cv-05101-SBA

## Mailing Information for a Case 4:07-cv-05101-SBA

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Lewis Stephen Kahn**  
lewis.kahn@kglg.com
- **Reed R. Kathrein**  
reed@hbsslaw.com,nancyq@hbsslaw.com
- **Joni L. Ostler**  
jostler@wsgr.com,pbaird@wsgr.com
- **Alan Roth Plutzik**  
aplutzik@bramsonplutzik.com

### Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)

# Exhibit B

**Loss Chart**  
**Gwyn Jones: BigBand Networks, Inc.**

DATE	# SHARES BOUGHT	PRICE	COST
3/26/2007	1250	\$17.89	\$22,362.50
3/26/2007	1750	\$17.90	\$31,325.00
3/27/2007	1800	\$18.50	\$33,300.00
3/27/2007	200	\$18.49	\$3,698.00
3/27/2007	2000	\$18.51	\$37,020.00
3/27/2007	400	\$18.50	\$7,400.00
3/27/2007	800	\$18.53	\$14,824.00
3/27/2007	800	\$18.54	\$14,832.00
3/27/2007	3000	\$18.59	\$55,770.00
3/27/2007	2950	\$18.55	\$54,722.50
3/27/2007	2950	\$18.57	\$54,781.50
3/27/2007	100	\$18.56	\$1,856.00
3/28/2007	1100	\$18.00	\$19,800.00
3/28/2007	900	\$17.98	\$16,183.80
3/28/2007	2000	\$17.85	\$35,700.00
3/28/2007	200	\$17.48	\$3,496.00
3/28/2007	100	\$17.47	\$1,747.00
3/28/2007	587	\$17.49	\$10,266.63
3/28/2007	113	\$17.50	\$1,977.50
3/28/2007	300	\$17.96	\$5,388.00
3/28/2007	1200	\$18.00	\$21,600.00
3/28/2007	100	\$17.98	\$1,798.00
3/28/2007	100	\$17.92	\$1,792.00
3/28/2007	100	\$17.98	\$1,798.00
3/28/2007	200	\$18.00	\$3,600.00
3/28/2007	1670	\$17.90	\$29,893.00
3/28/2007	108	\$17.83	\$1,925.64
3/28/2007	222	\$17.90	\$3,973.80
3/28/2007	2000	\$17.40	\$34,800.00
3/29/2007	2000	\$17.50	\$35,000.00
4/16/2007	2000	\$17.27	\$34,543.00
6/4/2007	2000	\$16.49	\$32,974.00
6/12/2007	1378	\$14.95	\$20,601.10
6/12/2007	500	\$14.95	\$7,475.00
6/12/2007	89	\$14.95	\$1,330.55
6/12/2007	2033	\$14.95	\$30,393.35
6/25/2007	100	\$15.27	\$1,527.00
6/25/2007	2900	\$15.27	\$44,271.40
6/26/2007	93	\$14.79	\$1,375.47
6/26/2007	3387	\$14.80	\$50,127.60
6/26/2007	100	\$14.79	\$1,479.00
6/26/2007	20	\$14.78	\$295.60
6/26/2007	400	\$14.80	\$5,920.00
6/29/2007	4000	\$13.84	\$55,360.00
<b>TOTAL:</b>	50000		\$850,303.94

## Loss Chart

### Gwyn Jones: BigBand Networks, Inc.

DATE	# SHARES SOLD	PRICE	COST
8/16/2007	600	\$8.84	\$5,304.00
8/16/2007	500	\$8.80	\$4,400.00
8/16/2007	300	\$8.81	\$2,643.00
8/16/2007	100	\$8.83	\$883.00
8/16/2007	22100	\$8.70	\$192,270.00
8/16/2007	800	\$8.71	\$6,968.00
8/16/2007	1300	\$8.70	\$11,310.00
8/16/2007	100	\$8.73	\$873.00
8/16/2007	1700	\$8.72	\$14,824.00
8/16/2007	100	\$8.71	\$871.00
8/16/2007	300	\$8.73	\$2,619.00
8/16/2007	100	\$8.71	\$871.00
8/16/2007	100	\$8.73	\$873.00
8/16/2007	100	\$8.71	\$871.00
8/16/2007	200	\$8.73	\$1,746.00
8/16/2007	100	\$8.74	\$874.00
8/16/2007	100	\$8.73	\$873.00
8/16/2007	100	\$8.72	\$872.00
8/16/2007	100	\$8.73	\$873.00
8/16/2007	100	\$8.74	\$874.00
8/16/2007	100	\$8.72	\$872.00
8/16/2007	300	\$8.71	\$2,613.00
8/16/2007	100	\$8.73	\$873.00
8/16/2007	300	\$8.75	\$2,625.00
8/16/2007	100	\$8.72	\$872.00
8/16/2007	300	\$8.77	\$2,631.00
8/16/2007	500	\$8.75	\$4,375.00
8/16/2007	100	\$8.76	\$876.00
8/16/2007	1000	\$8.75	\$8,750.00
8/16/2007	6100	\$8.77	\$53,497.00
8/16/2007	100	\$8.76	\$876.00
8/16/2007	1100	\$8.77	\$9,647.00
<b>TOTAL</b>	39000		\$340,199.00
<b>HELD</b>	11000		\$71,500.00
<b>TOTAL LOSS</b>			<b>\$438,617.74</b>

Closing Price:  
\$6.50 on  
October 3, 2007